

10-18

April 19, 2010

Date

June

MEMORANDUM

TO: York County Wetlands Board
FROM: Virginia Marine Resources Commission, Habitat Management Division
SUBJECT: VMRC #10-0611 John F. Smith III

The above-referenced application was e-mailed to your office on this date. There is a possibility that this project may involve wetlands. The Environmental Engineer responsible for your area has not yet seen this application and no determination has been made regarding its completeness. Please advise us of your determination in this matter and when a public hearing is scheduled if, in your judgment, wetlands are involved. You may also want to forward a copy of your response to the U.S. Army Corps of Engineers, Norfolk District, to advise them of your findings concerning this project.

Beth Howell

Division Office Manager

/blh
Attachment

Date

MEMORANDUM

TO: Virginia Marine Resources Commission, Habitat Management Division
FROM: Wetlands Board Staff

Review of the above-referenced application indicates this project:

- ☐ Does not involve wetlands. A letter will be forwarded to the applicant advising that no permit will be required from this Board.
- ☐ Does involve wetlands and a permit will be required. A public hearing has been tentatively scheduled for _____ at _____.
- ☐ Does involve wetlands but a permit will not be required because _____.
- ☐ Site inspection conducted on _____.
- ☐ No site inspection conducted.

Wetlands Board Staff Contact

Rec'd 4/19/10 via email

Part 1 – General Information

PLEASE PRINT OR TYPE ALL RESPONSES: If a question does not apply to your project, please print N/A (not applicable) in the block or space provided. If additional space is needed, attach 8-1/2" x 11" sheets of paper.

County or City in which the project is located: YORK

Waterway at project site: Chismans Creek

1. Applicant's name and complete mailing address:

(If multiple applicants, each must sign the applicant signature page)

Contact Information:

Home () _____

Work () _____

Fax () _____

Cell/ Pager () _____

e-mail _____

2. Property owner(s) name and complete address, if different from applicant

Contact Information:

Home () _____

Work () _____

Fax () _____

Cell/ Pager (957) 510-5164

e-mail _____

3. Authorized agent name and complete mailing address (if applicable):

Contact Information:

Home () _____

Work () _____

Fax () _____

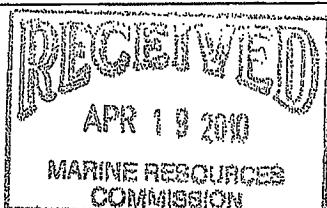
Cell/ Pager () _____

e-mail _____

4. Provide a detailed description, in the space below, of the project. For example, a description may be "construction of a timber bulkhead, 125 linear feet long, 6 feet high etc". Be sure to include how the construction site will be accessed, especially if clearing and/or grading will be required.

NEW Rip RAP placed OVER old and boat ramp

FOR AGENCY USE ONLY



Notes:

JPA #

10-0611

Part 1 - General Information (continued)

5. Have you obtained a contractor for the project? Yes* No. *If your answer is "Yes" complete the remainder of this question and submit the Applicant's and Contractor's Acknowledgment Form (enclosed)

Contractor's name and complete mailing address:

Contact Information:

Home () _____

Work () _____

Fax () _____

Cell/ Pager () _____

6. List the name, address and telephone number of the newspaper having general circulation in the area of the project. Failure to complete this question may delay local and State processing.

Name and complete mailing address:

Telephone number

(757) 247-4800

Daily Press
7505 WARWICK BLVD
NEWPORT NEWS, VA 23607

7a. Give the following project location information:

Street Address (911 address if available) 816 B RAILWAY RD

Lot/Block/Parcel# _____

Subdivision _____

City / County YORKTOWN, VA 23692.

7b. If the project is located in a rural area, please provide driving directions.

US RT 17 NORTH TO Dare Rd, Dare RD TO RAILWAY RD, Railway RD TO just before Dare Marina, mail box marked lane ON the right side of the road.

Note: if the project is in an undeveloped subdivision or property, clearly stake and identify property lines and location of the proposed project. A supplemental map showing how the property is to be subdivided should also be provided.

Part 1 - General Information (continued)

8. What is the primary and secondary purpose of the project? For example, the primary purpose may be "to protect property from erosion due to boat wakes" and the secondary purpose may be "to provide safer access to a pier." To protect property from erosion and have a place to pull my small boat out of the water.

9. Proposed use (check one):

- ☒ Single user (private, non-commercial, residential)
☐ Multi-user (community, commercial, industrial, government)

10. Describe the measures that will be taken to avoid and minimize impacts, to the maximum extent practicable, to wetlands, surface waters, submerged lands, and buffer areas associated with any disturbance (clearing, grading, excavating) during and after project construction.

Please be advised that unavoidable losses of tidal wetlands and/or aquatic resources may require compensatory mitigation.

By doing this project myself great care will be taken not to disturb wetlands, After initial dumping of stone each will be hand placed, no machinery will be used to disturb the wetlands.

11. Have you previously had a site visit, applied to, or obtained a permit from any agency (Federal, State, or Local) for any portion of the project described in this application or any other project at the site?

☐ Yes* ☒ No * if you answered "Yes", provide the following information:

<u>Agency / Representative</u>	<u>Activity</u>	<u>Application No.</u>	<u>Action** & Date</u>
--------------------------------	-----------------	------------------------	----------------------------

(**Issued, Denied, Withdrawn, or Site Visit)

Part 1 - General Information (continued)

12. Is this application being submitted for after-the-fact authorization for work which has already begun or been completed? ___ Yes ☒ No. If yes, be sure to clearly depict the portions of the project which are already complete in the project drawings.

13. Approximate cost of the entire project (materials, labor, etc.): \$ 4000.00
Approximate cost of that portion of the project which is below mean low water: \$ 1500.00

14. List the name and complete mailing address, including zip code, of each adjacent property owner to the project. (NOTE: a property owner/ applicant cannot be their own adjacent property owner. You must give the next owner down the river, creek, etc).

Jerry W. Crockett 816 A RAILWAY RD
YORKTOWN, VA 23692.

Donnie Shinn 826 RAILWAY RD
YORKTOWN VA 23692

Part 2 - Signatures

1. Applicants and property owners (if different from applicant).

NOTE: REQUIRED FOR ALL PROJECTS

PRIVACY ACT STATEMENT: The Department of the Army permit program is authorized by Section 10 of the Rivers and Harbors Act of 1899, Section 404 of the Clean Water Act, and Section 103 of the Marine Protection Research and Sanctuaries Act of 1972. These laws require that individuals obtain permits that authorize structures and work in or affecting navigable waters of the United States, the discharge of dredged or fill material into waters of the United States, and the transportation of dredged material for the purpose of dumping it into ocean waters prior to undertaking the activity. Information provided in the Joint Permit Application will be used in the permit review process and is a matter of public record once the application is filed. Disclosure of the requested information is voluntary, but it may not be possible to evaluate the permit application or to issue a permit if the information requested is not provided.

I hereby apply for all necessary permits for the activities I have described herein. I agree to allow the duly authorized representatives of any regulatory or advisory agency to enter upon the premises of the project site at reasonable times to inspect and photograph site conditions.

In addition, I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

JOHN F. SMITH III

Applicant's Name (printed/typed)

(use if more than one applicant)

John F. Smith III

Applicant's Signature

(use if more than one applicant)

3/28/2016

Date

Property owner's name (if different)

(use if more than one owner)

Property owner's signature

(use if more than one owner)

Date

Part 2 – Signatures (continued)

ADJACENT PROPERTY OWNER'S ACKNOWLEDGEMENT FORM

I, DONNIE KERR SHINN, own land next to (across
(Print adjacent/nearby property owner's name)

the water from/on the same cove as) the land of JOHN F. SMITH III.
(Print applicant's name)

I have reviewed the applicant's project drawings dated 4/9/10
(Date)

to be submitted for all necessary Federal, State and Local permits.

I HAVE NO COMMENT _____ ABOUT THE PROJECT.

I DO NOT OBJECT ✓ TO THE PROJECT.

I OBJECT _____ TO THE PROJECT.

The applicant has agreed to contact me for additional comments if the proposal changes prior to construction of the project.

(Before signing this form be sure you have checked the appropriate option above).

Donnie Kerr Shinn
Adjacent/nearby property owner's signature

4/9/10
Date

Note: If you object to the proposal, the reason(s) you oppose the project must be submitted in writing to VMRC. An objection will not necessarily result in denial of the project; however, valid complaints will be given full consideration during the permit review process.

Part 2 – Signatures (continued)

ADJACENT PROPERTY OWNER'S ACKNOWLEDGEMENT FORM

I, JERRY WAYNE CROCKETT, own land next to (across
(Print adjacent/nearby property owner's name)

the water from/on the same cove as) the land of JOHN F. SMITH III.
(Print applicant's name)

I have reviewed the applicant's project drawings dated _____
(Date)

to be submitted for all necessary Federal, State and Local permits.

I HAVE NO COMMENT _____ ABOUT THE PROJECT.

I DO NOT OBJECT ☒ TO THE PROJECT.

I OBJECT _____ TO THE PROJECT.

The applicant has agreed to contact me for additional comments if the proposal changes prior to construction of the project.

(Before signing this form, be sure you have checked the appropriate option above).

Jerry Wayne Crockett
Adjacent/nearby property owner's signature

4-10-10
Date

Note: If you object to the proposal, the reason(s) you oppose the project must be submitted in writing to VMRC. An objection will not necessarily result in denial of the project; however, valid complaints will be given full consideration during the permit review process.

Part 3 – Appendices

Please complete and submit the appendix questions applicable to your project, and attach the required vicinity map(s) and drawings to your application. If an item does not apply to your project, please write "N/A" in the space provided.

Appendix A: Projects for Access to the water (private and community piers, boathouses, marinas, moorings, boat ramps, aquaculture facilities, etc). Answer all questions that apply.

1) Briefly describe your proposed project. Build small boat ramp to pull my boat up.

2) For private, noncommercial piers:

What is the overall length of the structure? _____ feet.

channelward of Mean High Water? _____ feet.

channelward of Mean Low Water? _____ feet

What is the total size of any and all L- or T-head platforms? _____ sq. ft.

For boathouses, what is the overall size of the roof structure? _____ sq. ft. Will your boathouse have sides? _____ Yes _____ No.

(Note: to meet the exemption for VMRC permits, **private piers** must not exceed 6 feet in width and L-head or T-head protrusions must not exceed 250 square feet in size; private **boathouse** roof dimensions must not exceed 700 square feet in size, the boathouse must be open-sided and the project must be unopposed by the adjacent property owners, pursuant to Section 28.2-1203(5) of the Code of Virginia).

3) Provide the type, size, and registration number of the vessel(s) to be moored at the pier or mooring buoy.

Type	Length	Width	Draft	Registration
------	--------	-------	-------	--------------

4) For **Marinas, Commercial Piers, Community Piers and other non-private piers**, provide the following information:

- A) Have you obtained approval for sanitary facilities from the Virginia Department of Health? _____ (required pursuant to Section 28.2-1205C of the Code of Virginia).
- B) Will petroleum products or other hazardous materials be stored or handled at your facility? _____.
- C) Will the facility be equipped to off-load sewage from boats? _____.
- D) How many wet slips are proposed? _____. How many are existing? _____.
- E) What is the area of the piers and platforms that will be constructed over
 - Tidal wetlands _____ square feet
 - Submerged lands _____ square feet

Part 3 – Appendices (continued)

Appendix B: Projects for Shoreline Stabilization in tidal wetlands and tidal waters (including riprap revetments, marsh toe stabilization, bulkheads, breakwaters, beach nourishment, groins, jetties, etc). Answer all questions that apply. Please provide any reports from the Shoreline Erosion Advisory Service. (NOTE: Information on non-structural, vegetative alternatives for shoreline stabilization is available at <http://ccrm.vims.edu/specereps/thinkgreen.pdf>)

1) For riprap, bulkheads, marsh toe, breakwaters, groins, jetties, what is the overall length of the structure(s)? 55 linear feet.

2) What is the maximum encroachment channelward of mean high water? 5 feet.
channelward of mean low water? 10 feet.

3) Please calculate the square footage of encroachment over:

vegetated wetlands 100 square feet
nonvegetated wetlands 450 square feet
subaqueous bottom 0 square feet

4) For bulkheads, is any part of the project maintenance or replacement of a previously authorized, currently serviceable, existing structure? Yes No. If yes, is it possible to construct the new bulkhead no further than two (2) feet channelward of the existing bulkhead? Yes.

5) Describe the type of construction and all materials to be used, including source of backfill material, if applicable (e.g. vinyl sheet-pile bulkhead, timber stringers and butt piles, 100% sand backfill from upland source; broken concrete core material with Class II quarry stone armor over filter cloth).

NOTE: Drawings must include construction details, including dimensions, design and all materials, including fittings if used.

6) If using stone, broken concrete, etc., for your structure(s), what is the average weight of the:

Core (inner layer) material 50 pounds per stone Class size A1
Armor (outer layer) material 75 pounds per stone Class size 1

7) For beach nourishment, including that associated with breakwaters, groins or other structures, provide the following:

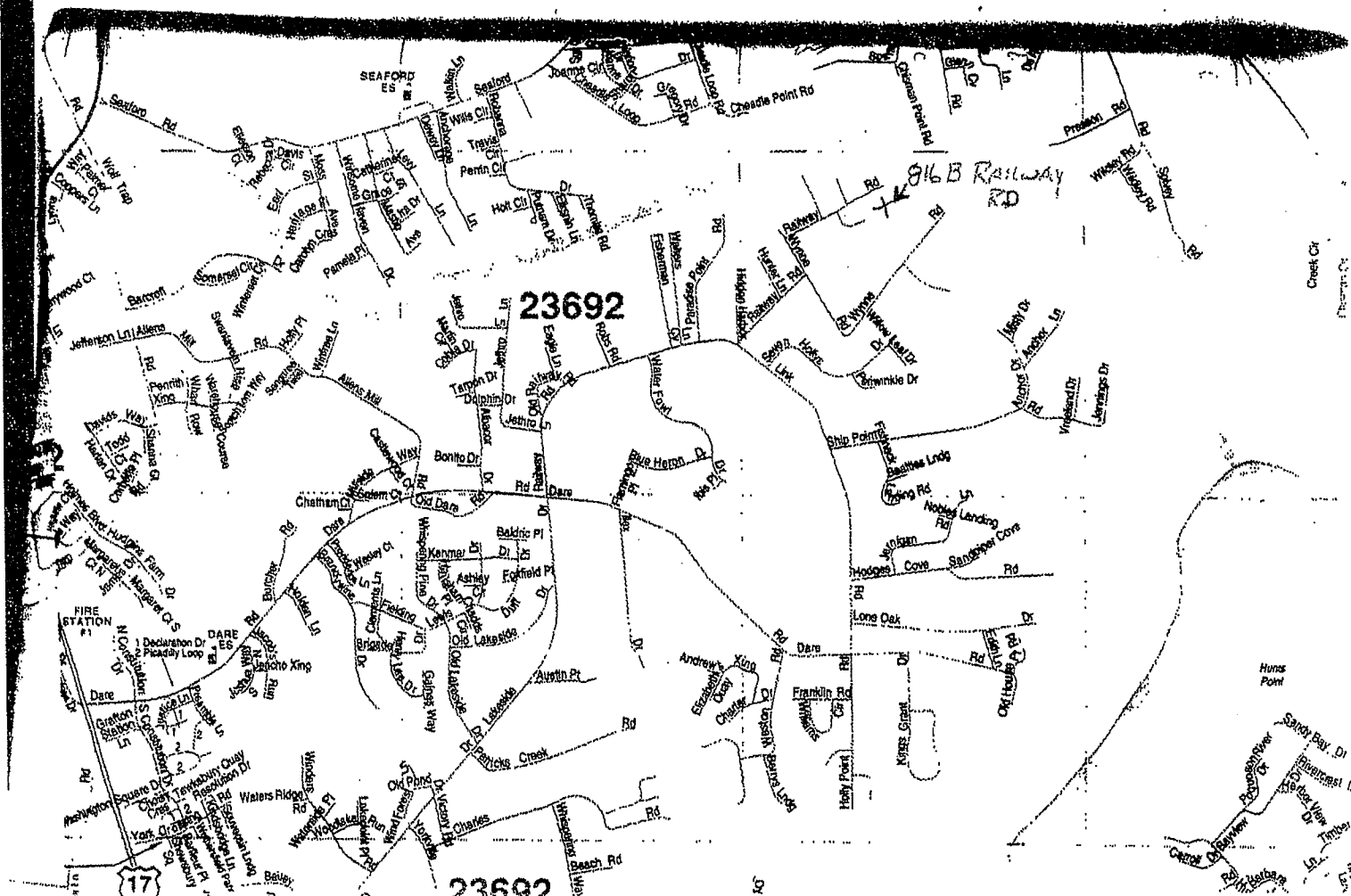
Volume of material _____ cubic yards channelward of mean low water
_____ cubic yards landward of mean low water

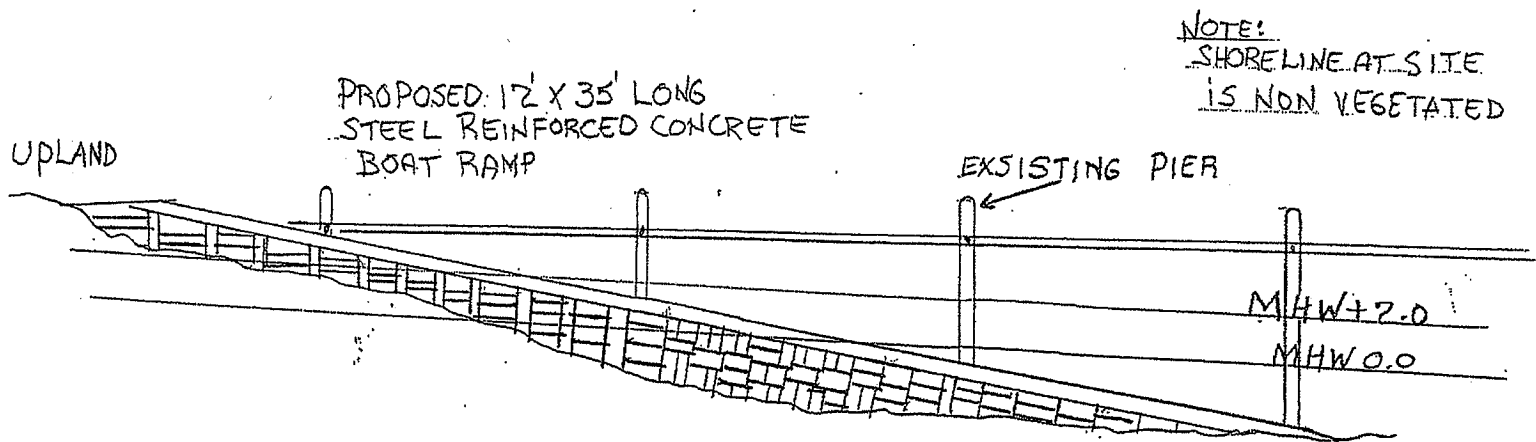
Area to be covered _____ square feet channelward of mean low water
_____ square feet landward of mean low water

Source of material, composition (e.g. 90% sand, 10% clay) _____ and method of transportation and placement _____

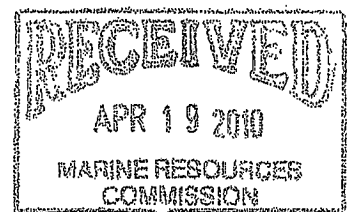
_____. Describe any proposed vegetative stabilization measures to be used, including planting schedule, spacing, monitoring, etc. _____

RECEIVED
APR 19 2010
MARINE RESOURCES
COMMISSION

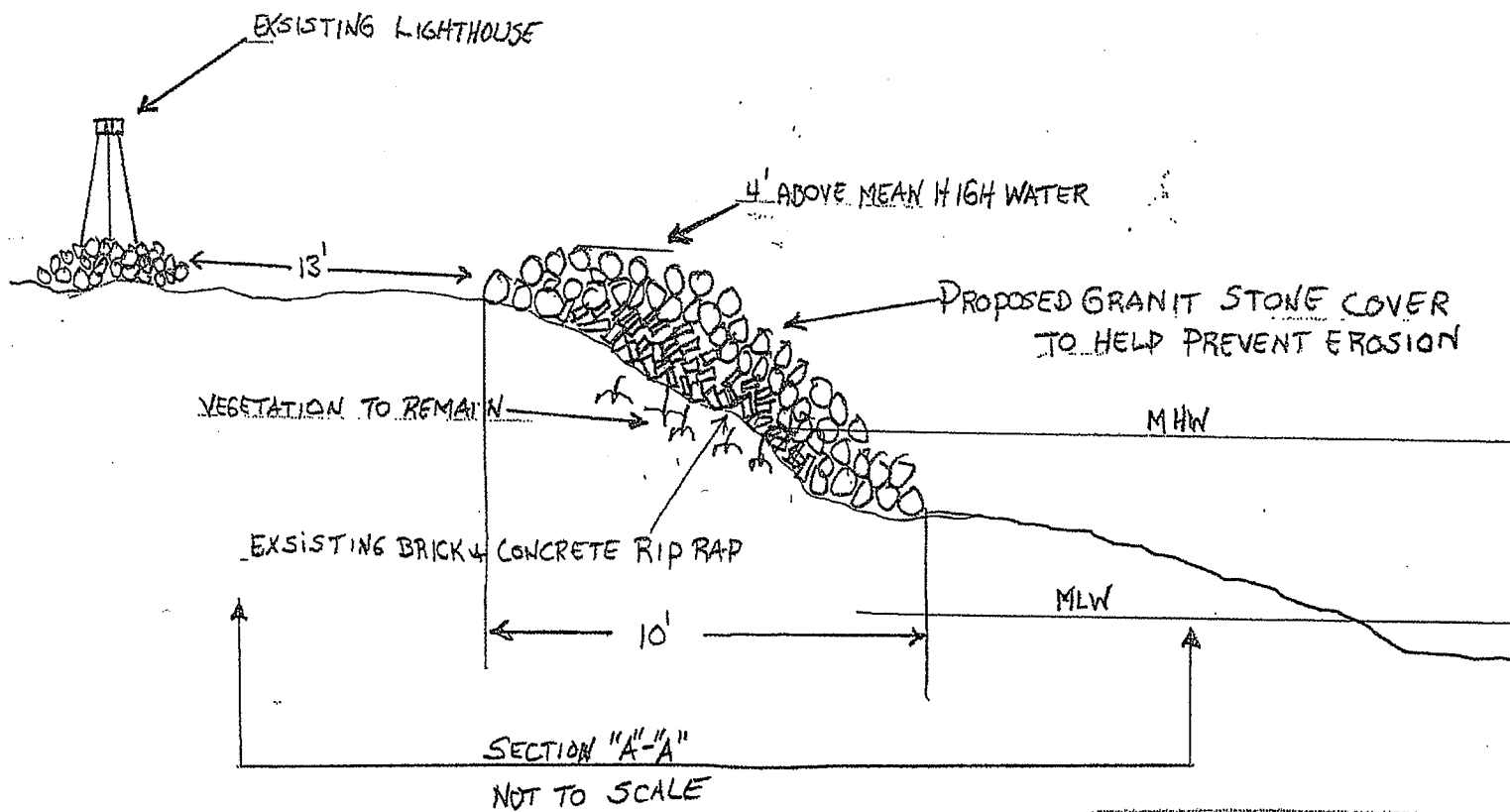




CROSS SECTION VIEW "A-A"
1" = 10'



APPLICANT: JOHN F. SMITH III
WATERWAY: CHISMAN CREEK
COUNTY: YORK
NUMBER OF SHEET: 3 OF 3
DATE: APRIL 1, 2010



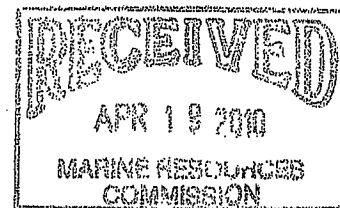
APPLICANT: JOHN F. SMITH III

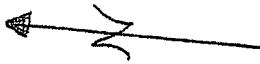
WATERWAY: CHILSMAN CREEK

COUNTY: YORK

NUMBER OF SHEET 2 OF 3

DATE APRIL 1, 2010





CHISMAN CREEK

EXISTING Brick & Concrete RIP RAP
PROPOSED Granite Rock TO COVER UP OLD

EXISTING COVERED BOAT LIFT
DOCK & FLOATING PIER

EXISTING LIGHTHOUSE

PROPOSED BOAT RAMP
CONCRETE

MHW

MLW

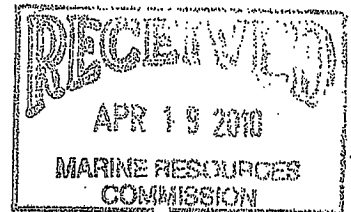
GAZEBO



Property of
Donnie Shinn

PL

PROPERTY OF MICHAEL &
MARION JONES



HOUSE

APPLICANT: JOHN F. SMITH III
WATERWAY: CHISMAN CREEK
COUNTY: YORK
Number: OF SHEET: 1 OF 3
DATE: APRIL 1, 2010

GARAGE

LANE TO RAILWAY ROAD

PL

PROPERTY OF Jerry W. CROCKETT